

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
SPARTANBURG DIVISION

United States of America,

v.

Bryant Oneil Thompson,

Defendant.

Cr. No. 7:01-669-GRA

ORDER  
(Written Opinion)

This matter is before the Court on Defendant's " Motion to the Court to Produce Trial Transcripts." For the reasons stated below, the motion is DENIED.

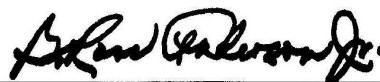
This Court is required to construe *pro se* pleadings liberally. Such pleadings are held to a less stringent standard than those drafted by attorneys. *Hughes v. Rowe*, 449 U.S. 5, 9-10 (1980), *Gordon v. Leeke*, 574 F.2d 1147, 1151 (4th Cir. 1975), *cert. denied*, 439 U.S. 970 (1978). A federal district court is also charged with liberally construing a pleading filed by a *pro se* litigant to allow for the development of a potentially meritorious claim. *Cruz v. Beto*, 405 U.S. 319 (1972).

Longstanding circuit precedents have provided that a prisoner who requests free copies of records in his or her criminal case, whether it is a state case or a federal case, must show a particularized need for such records. *Jones v. Superintendent, Virginia State Farm*, 460 F.2d 150, 152-53 & nn. 3-4 (4th Cir. 1972), *adhered to*, 465 F.2d 1091, 1092-96 (4th Cir. 1972) (denying rehearing *en banc*), *cert. denied*, 410 U.S. 944 (1973). A state or federal prisoner does not have

the right to request free transcripts so that he or she can search the record of conviction to find possible flaws. See *United States v. Glass*, 317 F.2d 200, 202 (4th Cir. 1963) (“ An indigent is not entitled to a transcript at government expense without a showing of need, merely to comb the record in the hope of discovering some flaw.” ); *United States v. Shoaf*, 341 F.2d 832, 833-36 & nn. 1-6 (4th Cir. 1964) (reaffirming *Glass*). Defendant pled guilty on February 1, 2002, and was sentenced May 16, 2002. Subsequently, the Defendant appealed and on June 20, 2002 received transcripts of both the guilty plea and sentencing. On March 4, 2003, the United States Court of Appeals for the Fourth Circuit issued Judgment affirming the Defendant’ s plea/sentencing. Defendant’ s appeal has been final now for over two years; thus, Defendant has not shown a particularized need for the transcript.

IT IS THEREFORE ORDERED that Defendant’ s motion for transcripts be DENIED.

IT IS SO ORDERED.



G. ROSS ANDERSON, JR.  
UNITED STATES DISTRICT JUDGE

Anderson, South Carolina

May 17, 2005.

NOTICE OF RIGHT TO APPEAL

Petitioner has the right to appeal this Order within ten (10) days from the

date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure. Failure to meet this deadline, as modified by Rule 4 of the Federal Rules of Appellate Procedure, will waive the right to appeal.